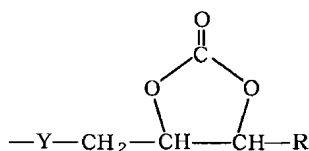


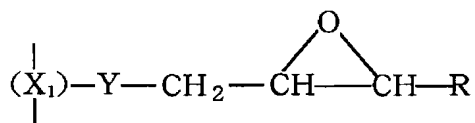
REMARKS/ARGUMENTS

Reconsideration is requested.

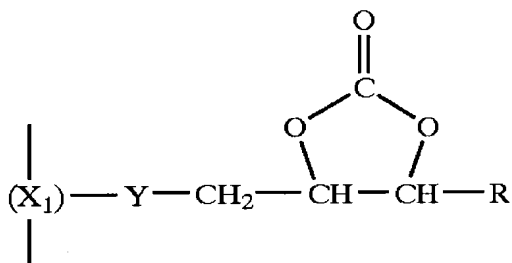
The Examiner misinterprets the claims. Not only must (A-1) comprise at least one cyclocarbonato group of Formula (1):



it must comprise at least one cyclocarbonato group of Formula (1) *obtained by reacting carbon dioxide with a (co)polymer represented by formula 2:*

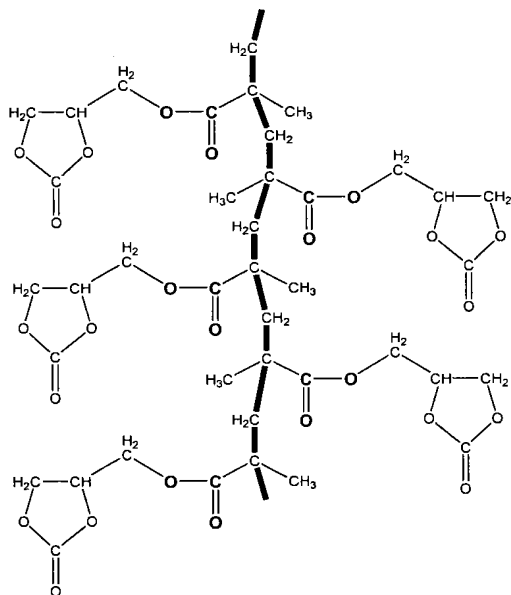


Therefore, (A-1) must comprise not only the at least one cyclocarbonato group of Formula (1) *but also must comprise the (X_1) functionality of formula 2*, which is a polymerization residual group of an α,β -unsaturated carboxylic acid. Formula (1) thus can be accurately depicted as:



$$\text{X}_2\text{—Y—CH}_2\text{—}\begin{array}{c} \text{O} \\ \diagup \quad \diagdown \\ \text{CH—CH—R} \end{array}$$

For this reason, Applicant directed the Examiner's attention to the following structure as an example of the present claims:



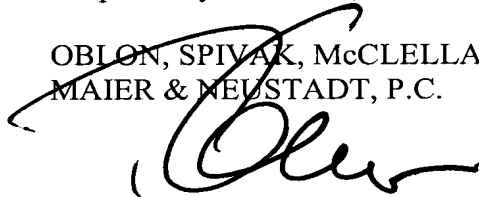
When the claims are properly understood, a review of the applied references shows that Applicants' claimed basic structural units A-1 and A-2 are not suggested by any of the references.

As explained in Applicants' last response Takeuchi, in the species described in the prior Official Action and again cited at page 3 of the present Official Action for the same reason, includes a $(CH_2)_2NHCOO$ group between the COO closest to the unsaturated acrylic functionality and the cyclocarbonato group. This is quite different and distinct from A-1 and A-2, as explained in great detail above, and the reference as a whole does not disclose Applicants' claimed (co)polymers. Yasunami similarly fails to describe anything included within the present claims, as even the M-54 species repeated at page 4 of the Official Action is lacking a methylene group (i.e., a CH_2 group) between the COO group and the cyclocarbonato group. Perhaps the closest specie in Yasunami to that presently claimed is M-56, but this specie has a sulfur group rather than an oxygen in the cyclo moiety, and the substitution of oxygen and sulfur is *not* recognized as obviousness. *In re Grabiak*, 226 USPQ 870 (Fed. Cir. 1985). For these reasons, even if one were to substitute the polymeric materials of Takeuchi (or even Yasunami for that matter) into the Yoshida structure the result would not be anything that Applicant is claiming herein.

Applicants thus respectfully submit that the Examiner has misinterpreted the claims. The applied references do not affect the patentability of the present claims as properly understood, and their passage to Issue is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Richard L. Treanor
Attorney of Record
Registration No. 36,379

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 06/04)